IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WP(C).No. 23047 of 2007(R)

PETITIONERS:
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1. NOUSHAD, PURATHENCHIRA,
PUNNAPPRA P.O., ALAPPUZHA.

2. JAMAL KUTTY, PURATHENCHIRA,
PUNNAPPRA P.O., ALAPPUZHA.

BY ADV. SRI.V.P.MOHAMMED NIYAZ

RESPONDENTS:
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1. SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT,
TRIVANDRUM.

2. PUNNAPRA GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
PUNNAPPRA P.O., ALAPPUZHA.

BY ADV. SRI.V.SATHEESH -- R2
GOVERNMENT PLEADER SRI. RAVI KRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 23047/2007

APPENDIX

PETITIONER'S EXHIBITS,

EXT.P1. COPY OF THE SALE DEED NO. 3135/03 DT. 14/8/03.

EXT.P2. COPY OF THE NOTICE DT. 8/12/03 BY THE R2 TO THE PETITIONERS.

EXT.P3. COPY OF THE ORDER BY THE R1.

EXT.P4. COPY OF THE PHOTOGRAPH OF THE PETITIONERS' BUILDING AND THE ADJACEMENT BUILDING.

EXT.P5. COPY OF THE NOTICE DT. 17/07/07 BY THE R2.

EXT.P6. COPY OF THE REPLY DT. 18/07/07 SENT BY THE P1 TO EXT.P5.

EXT.P7. COPY OF THE NOTICE DT. 21/07/07 BY THE R2.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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K.M.JOSEPH, J.

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WP.(C) No.23047 of 2007

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Dated this the 31st day of July, 2007

JUDGMENT

Petitioner challenges Exts.P5 and P7. Learned counsel for the petitioner does not dispute the fact that the impugned orders are appealable.

2. I heard learned counsel appearing on behalf of the second respondent also. I feel that the petitioner has to pursue the appellate remedy.

Accordingly the writ petition is disposed of relegating the petitioner to pursue the appellate remedy within the period of limitation. The interim order passed by this court will continue for a period of two weeks.

(K.M. JOSEPH, JUDGE)

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